

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JACQUELYN SCHREIER,  
Plaintiff,  
vs.  
PROFESSIONAL CLAIMS BUREAU, INC.  
Defendant.

Civil Action No.: 2:19-cv-04867-WFK-LB  
**AFFIDAVIT OF TIME AND EXPENSE**

Daniel Zemel, ESQ., hereby certifies as follows:

1. That the attorney fees and time spent by Daniel Zemel and Elizabeth Apostola, with regard to the above-captioned case amounted to a total of **\$6,755.00.**

The total time spent is detailed as follows:

Employee	Date	Service Rendered	Hourly Rate	Time	Fee
Attorney Zemel	07.25.19	Call w/ client re: new case; review letter; provide retainer	350.00	0.5 hours	\$175.00
Attorney Zemel	08.06.19	Draft Complaint	350.00	0.4 hours	\$140.00
Attorney Zemel	08.15.19	Finalize complaint and summons, file, send out for service	350.00	0.4 hours	\$140.00
Attorney Zemel	08.26.19	Review notice of removal and letter from opposing counsel; review ECF notices	350.00	0.3 hours	\$105.00
Attorney Apostola	08.26.19	Review notice of removal and letter from opposing counsel; review ECF notices	400.00	0.2 hours	\$80.00
Attorney Zemel	09.03.19	Review ECF 4	350.00	0.2 hours	\$70.00
Attorney Zemel	09.03.19	Review Answer, ECF 5	350.00	0.3 hours	\$105.00
Attorney Apostola	09.03.19	Review Answer, ECF 5	400.00	0.3 hours	\$120.00

Attorney Zemel	09.06.19	Review Initial Order, ECF 6	350.00	0.2 hours	\$70.00
Attorney Apostola	09.06.19	Review Initial Order, ECF 6	400.00	0.2 hours	\$80.00
Attorney Zemel	09.26.19	Create Rule 26 Report	350.00	0.3 hours	\$105.00
Attorney Zemel	09.27.19	Review Defendant's initial disclosures, letter from OPC, discussion re: Rule 26 report	350.00	0.3 hours	\$105.00
Attorney Apostola	09.27.19	Review Defendant's initial disclosures, letter from OPC, discussion re: Rule 26 report	400.00	0.2 hours	\$80.00
Attorney Zemel	09.29.19	Email w/ OPC re: discovery plan	350.00	0.2 hours	\$70.00
Attorney Zemel	10.02.19	Finalize and file Rule 26 report	350.00	0.2 hours	\$70.00
Attorney Zemel	10.10.19	Court conference	350.00	0.4 hours	\$140.00
Attorney Zemel	10.10.19	Review ECF October 10, 2019 Order	350.00	0.2 hours	\$70.00
Attorney Apostola	10.10.19	Review ECF October 10, 2019 Order	400.00	0.2 hours	\$80.00
Attorney Zemel	10.13.19	Call w/ client re: dispute letters per judges order	350.00	0.2 hours	\$70.00
Attorney Zemel	10.16.19	Talk with client re: EOB; Review EOB/compare with letter; emails w/ OPC re: EOB	350.00	0.3 hours	\$105.00
Attorney Zemel	10.25.19	Email and letter correspondence w/ OPC re: EOB	350.00	0.2 hours	\$70.00
Attorney Apostola	10.25.19	Email and letter correspondence w/ OPC re: EOB	400.00	0.2 hours	\$80.00

Attorney Zemel	11.07.19	Emails w/ Chambers, Conference with Court; Review November 7, 2019 Order	350.00	0.4 hours	\$140.00
Attorney Apostola	11.07.19	Emails w/ Chambers, Conference with Court; Review November 7, 2019 Order	400.00	0.2 hours	\$80.00
Attorney Zemel	12.06.19	Email w/ OPC re: upcoming conference with court	350.00	0.2 hours	\$70.00
Attorney Zemel	12.06.19	Email w/ Client re: status update	350.00	0.2 hours	\$70.00
Attorney Zemel	12.08.19	Email w/ OPC re: upcoming conference with court	350.00	0.2 hours	\$70.00
Attorney Zemel	12.09.19	Review Motion to Adjourn; Review corresponding Order	350.00	0.2 hours	\$70.00
Attorney Apostola	12.09.19	Review Motion to Adjourn; Review corresponding Order	400.00	0.2 hours	\$80.00
Attorney Zemel	12.23.19	Email w/ OPC re: conference	350.00	0.2 hours	\$70.00
Attorney Zemel	01.28.20	Conference with Court	350.00	1.0 hours	\$350.00
Attorney Zemel	01.29.20	Review Order dated January 29, 2020	350.00	0.2 hours	\$70.00
Attorney Apostola	01.29.20	Review Order dated January 29, 2020	400.00	0.2 hours	\$80.00
Attorney Zemel	12.29.19	Email w/ OPC re: settlement	350.00	0.2 hours	\$70.00
Attorney Zemel	01.10.20	Email w/ OPC re: settlement	350.00	0.2 hours	\$70.00
Attorney Zemel	01.24.20	Email w/ OPC re: settlement	350.00	0.2 hours	\$70.00

Attorney Zemel	01.27.20	Email w/ OPC re: settlement	350.00	0.2 hours	\$70.00
Attorney Zemel	01.28.20	Review Offer of Judgment	350.00	0.2 hours	\$70.00
Attorney Apostola	01.28.20	Review Offer of Judgment	400.00	0.2 hours	\$80.00
Attorney Zemel	01.29.20	Call w/ client re: offer of judgment	350.00	0.3 hours	\$105.00
Attorney Zemel	01.30.20	Prepare subpoenas to Northwell/Insurance/draft Hipaa release form and cover letter pursuant to court order	350.00	1.2 hours	\$420.00
Attorney Zemel	02.06.20	Email w/ OPC re: protective order	350.00	0.2 hours	\$70.00
Attorney Zemel	02.11.20	Call w/ client re: offer of judgment	350.00	0.5 hours	\$175.00
Attorney Zemel	02.20.20	Review Order of Judgment; sent to client [ECF 9]	350.00	0.2 hours	\$70.00
Attorney Apostola	02.20.20	Review Order of Judgment; sent to client [ECF 9]	400.00	0.2 hours	\$80.00
Attorney Apostola	02.24.20	Draft Motion for Attorney's Fees	400.00	4.0 hours	\$1,600.00
Attorney Zemel	03.03.20	Review and Finalization of Motion for Attorney's Fees	350.00	1.5 hours	\$525.00
	<b>TOTAL</b>	<b>ATTORNEY</b>	<b>FEES</b>		<b>\$6, 755.00</b>

2. That the costs for above captioned case amounted to a total of \$305.00. The total costs are detailed as follows:

<b><u>DESCRIPTION</u></b>	<b>FEE</b>
Filing Fee	\$210.00
Service of process D& M Litigation Services, Inc.	\$95.00
<b>TOTAL COSTS</b>	<b>\$305.00</b>

3. That the amount due for attorney's fees and costs as a result of Plaintiff's Complaint is as follows:

- a. \$6, 755.00 in legal fees recoverable pursuant to 15 U.S.C. §1692k(a)(3)
- b. \$305.00 in costs recoverable pursuant to 15 U.S.C. §1692k(a)(3)

4. That the total amount requested for Defendant's Default is **\$7,060.00** and any additional amount determined by this Court.

Dated: March 06, 2020

Respectfully Submitted,

/s/ Daniel Zemel  
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Elizabeth Apostola, Esq.  
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